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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/698,480	11/03/2003	Chan-Tung Chen	3624-0136P	3229
2292	7590	11/22/2004	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			HUNTER, ALVIN A	
			ART UNIT	PAPER NUMBER
			3711	

DATE MAILED: 11/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/698,480

Applicant(s)

CHEN, CHAN-TUNG

Examiner

Alvin A. Hunter

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 03 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 4 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 4, the limitation "adhesive composite powders thereof."

Limitation is unclear and is therefore claim is rejected.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5, 10, and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Nagasaki et al. (USPN 4792139).

Regarding claim 1, Nagasaki et al. discloses a golf club head comprising a golf club body having a front side and perimeter wherein the perimeter wall extends rearward along the perimeter of the golf club head body, a striking plate mounted to the front side of the golf club head body, a reinforcing layer integrally and tightly bounded to the back of the striking plate wherein the reinforcing layer supports an engaging edge in a joint area between the striking plate and the perimeter wall (See Figures 5 and 9).

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Regarding claim 2, limitation claimed by applicant is product by process. Being that Nagasaki et al. discloses the final product, it is submitted that Nagasaki et al. also meets the process limitation.

Regarding claim 3, Nagasaki et al. discloses the reinforcing layer being made of a light material (See Abstract).

Regarding claim 4, Nagasaki et al. discloses the light material being a carbon fiber (See Column 3, lines 3 through 9).

Regarding claim 5, Nagasaki et al. discloses the reinforcing layer having a perimeter extension extending rearward along a perimeter wherein the perimeter extension being tightly bonded to an inner face of the perimeter (See Figures 5 and 9).

Regarding claim 10, Nagasaki et al. discloses the striking plate being engaged to the golf body by insertion (See Figure 6).

Regarding claim 11, Nagasaki et al. shows in Figure 2, the striking plate being integrally formed with the golf club body as a single member.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagasaki et al. (USPN 4792139).

Regarding claims 7 and 8, Applicant does not truly disclose why the inner face of the perimeter wall not to being covered by the reinforcing layer or the shape of the portion surrounding the uncovered face is critical for attaining the claimed invention. Applicant discloses that the not covering the inner face gives an aesthetic appearance (See Page 9, lines 9 through 20). The limitation is admitted by the applicant as having no mechanical function, and therefore, one having ordinary skill in the art would have found it an obvious matter of design choice (See MPEP 2144.04).

Claims 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nagasaki et al. (USPN 4792139) in view of Hutin (USPN 5586947).

Regarding claim 6, Nagasaki et al. does not disclose having a striking area not covered by the reinforcing layer. Hutin discloses a golf club head having a vibration damper behind the striking face wherein the vibration dampener is hollowed in the center to exposed the rear surface of the preferred striking area, wherein the concept of having the dampener hollow is to allow for the striking area to naturally deform during a swing. One having ordinary skill in the art would have found it obvious to have a striking area not covered by the reinforcing layer in order to allow the striking area to naturally deform during a swing.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nagasaki et al. (USPN 4792139) in view of Nakanishi et al. (USPN 4928972).

Regarding claim 9, Nagasaki et al. does not disclose having perimeter flange on the back of the perimeter wall. Nakanishi et al. discloses a golf club having a perimeter flange on the back of the perimeter wall. Nakanishi et al. inherently teaches the flange

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urging the reinforcing layer to the surfaces of the perimeter wall and striking plate. One having ordinary skill in the art would have found it obvious have a perimeter flange, in order to urge the reinforcing layer to the surfaces of the perimeter wall and striking plate.

### ***Conclusion***


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alvin A. Hunter whose telephone number is (571) 272-4411. The examiner can normally be reached on Monday through Friday from 7:30AM to 4:00PM Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Vidovich, can be reached on 571-272-4415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AAH

Alvin A. Hunter, Jr.

  
RAEANN GORDEN  
PRIMARY EXAMINER